



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Sandra Manning, Project Manager

Public Notice Date: April 24, 2006
Expiration Date: May 23, 2006
Reference: 200501249
Name: Washington State
Dept. Of Transportation
SR 502 and I-5 Interchange

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings. This permit is being requested for a five year period.

APPLICANT - Washington State Dept. of Transportation
S-15, Post Office Box 1709
Olympia, WA 98668-1709

ATTN: Ms. Becky Michaliszyn
Telephone: (360) 905-2174, e-mail michalb@wsdot.wa.gov

LOCATION – In Gee Creek and its tributaries, wetlands, and jurisdictional ditches, along I-5, and State Route-502 near Battle Ground, Clark County, Washington.

WORK – The proposed project will add a new interchange at I-5, and construct a new extension for State Route-502 with wide shoulders for pedestrian and bicycle use. The new extension will be constructed as a four lane highway that is approximately 3500 feet long, to connect the City of Battleground to I-5. The new interchange will include a three lane bridge over I-5 which will completely span Gee Creek and a wetland to avoid additional impacts. A fish passage barrier culvert on Gee Creek will be replaced by a fish passable structure. Ten additional culverts will be modified or constructed to provide continued hydraulic connectivity between wetlands and streams in the project vicinity. A mitigation site will be constructed to offset wetland impacts. The project will impact 20 wetlands the majority of which are located directly adjacent to I-5, resulting in the loss of 6.42 acres of wetlands, and temporary impacts to 0.2 acres of wetlands for bridge construction. The wetlands to be filled include 2.16 acres of Category II forested/scrub shrub, 0.96 acres of Category III emergent and scrub shrub, 3.2 acres of Category IV wetlands (2.57 emergent dominated by reed canary grass and 0.63 of degraded emergent and scrub shrub), and 0.1 acre of riparian area below the ordinary high water mark. Stormwater facilities will be constructed to treat the new impervious surfaces and much of the existing untreated surfaces for water quantity and quality.

PURPOSE – Improve safety and reduce congestion on I-5, improve safety and reduce congestion along Northeast 10th Avenue by diverting traffic to the newly constructed State Route-502 extension, provide a more direct link from Battle Ground to I-5, and provide pedestrian and bike paths along the new extension.

ADDITIONAL INFORMATION – The project is being designed per the Washington Dept. of Transportation Highway Runoff Manual which has been approved by the State Department of Ecology.

Functions provided by the impacted wetlands and streams include general fish and wildlife habitat, flood-flow attenuation, sediment and nutrient control, and headwater storage.

MITIGATION – To mitigate for the permanent loss of 6.52 acres, of wetlands and riparian habitat, WSDOT will create 12.0 acres of Oregon Ash dominated forested wetlands, enhance 5.2 acres of degraded emergent and forested wetlands, upland forest located at the mitigation site, and will create 16.9 acres of associated upland buffer around the mitigation site for 39.8 acres of mitigation in the upper reaches of the Gee Creek watershed. The mitigation wetlands are designed to replace and improve the lost functions of the impact areas, and in addition will provide increased flood storage capacity at the headwaters, improvements to water quality treatment, extended hydroperiod with baseflow contribution to a degraded tributary that currently dries out in the summer, and reduction of downstream erosion. Habitat functions will be improved through connection of the wetlands to the streams, food chain support and organic production, and downstream nutrient transport. Enhancement of wetlands will include replanting with native vegetation, and improved water quality through stormwater treatment. The U.S. Army Corps of Engineers (Corps) is currently reviewing the draft mitigation plan as proposed for this project. If we have to stop doing this we will require a final mitigation plan before permit issuance. The temporary impacts will be mitigated by replanting the impact area with native vegetation after construction.

ENDANGERED SPECIES -

The Endangered Species Act (ESA) of 1973, as amended, requires assessment of potential impacts to listed and proposed species. The Bald eagle (*Haliaeetus leucocephalus*) threatened, Northern spotted owls (*Strix occidentalis caurina*) threatened, Gray wolf (*Canis lupus*) threatened, Lower Columbia River (LCR) Chinook (*Oncorhynchus tshawytscha*) threatened, LCR Steelhead (*O. mykiss*) and designated critical habitat threatened, LCR coho salmon (*O. kisutch*) threatened, Columbia River Chum Salmon (*O. keta*) threatened, Columbia River bull trout (*Salvelinus confluentus*) threatened, designated critical habitat Golden Paintbrush (*Castilleja levisecta*) threatened, Water Howellia (*Howellia aquatis*) threatened, Bradshaw's lomatium (*Lomatium bradshawii*) endangered, and Nelson's checkermallow (*Sidalcea nelsoniana*) threatened, may occur in the project area.

The Federal Highway Administration (FHWA) is the federal lead agency for compliance with ESA. FHWA consulted with the National Marine Fisheries Service and the US Fish and Wildlife Service (Services) for this project. The Services have concurred with the determination that this project "may affect, but is not likely to adversely affect" listed, species. NMFS has concurred that the effects of the action on LCR steelhead critical habitat will be insignificant or discountable.

ESSENTIAL FISH HABITAT – The Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon occurs in the project area. As the federal lead, FHWA has consulted with the NMFS and they have agreed with FHWA's determination that the project action will not adversely affect EFH for salmon.

CULTURAL RESOURCES - The District Engineer has reviewed the latest published version of the National Register of Historic Places list of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

A portion of the project is eligible for listing on the National Register of Historic Places. An historic properties investigation has been conducted within the project area. The Department of Archaeology and Historic Preservation (DAHP) has concurred with FHWA's finding that the project may have an adverse effect on the listed area. FHWA, WSDOT, DAHP, and the Cowlitz Indian Tribe have entered into a Memorandum of

Agreement which defines stipulations to govern work within the areas of historic significance. Compliance with the signed MOA will be a special condition of the permit, if one is issued.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments, Federal, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the area.

PUBLIC HEARING - Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION - The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers (Corps) is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Explanation: The NEPA documentation is complete. FHWA signed the FONSI 8/5/05. A Public Open House was held 9/1/05 to ensure full public involvement at the end of the public comment period for the EA document. All public comments were address and FHWA signed the FONSI 8/5/05. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION - The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

This proposal will be the subject of a Critical Areas Ordinance compliance under review by Clark County.

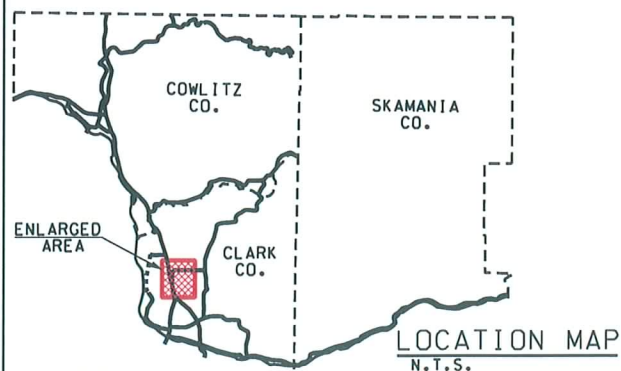
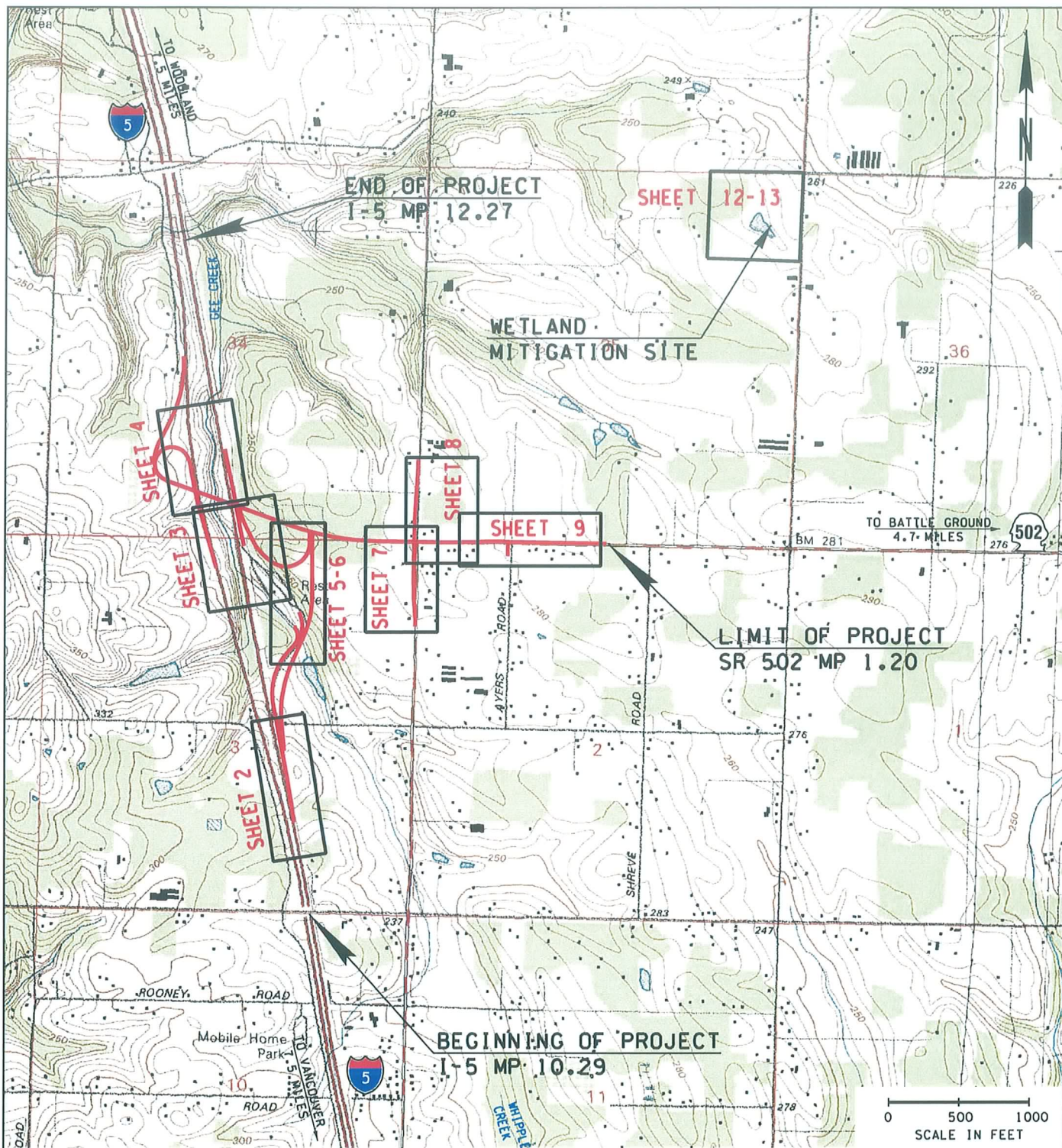
COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below.

200501249

All e-mail comments should be sent to Sandra.L.Manning@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Ms. Sandra Manning, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail and/or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Washington State Dept. of Transportation, 200501249

Encl
Drawings (12)

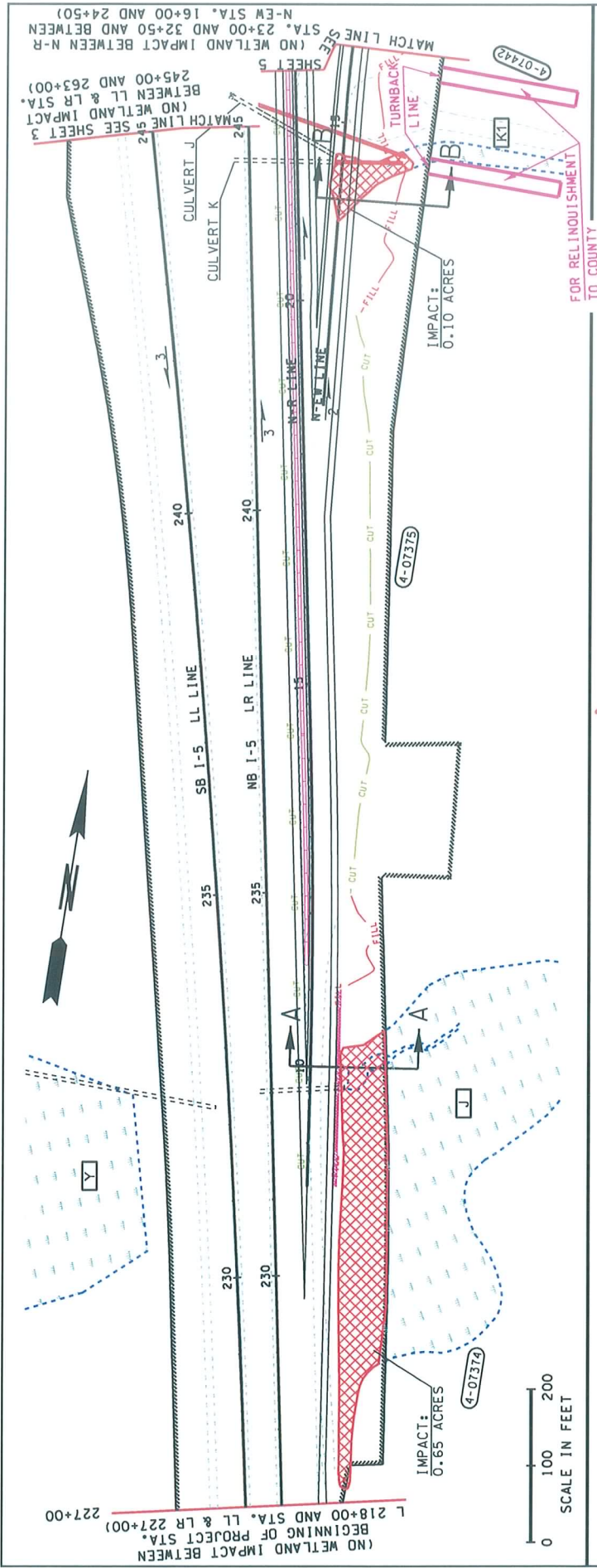


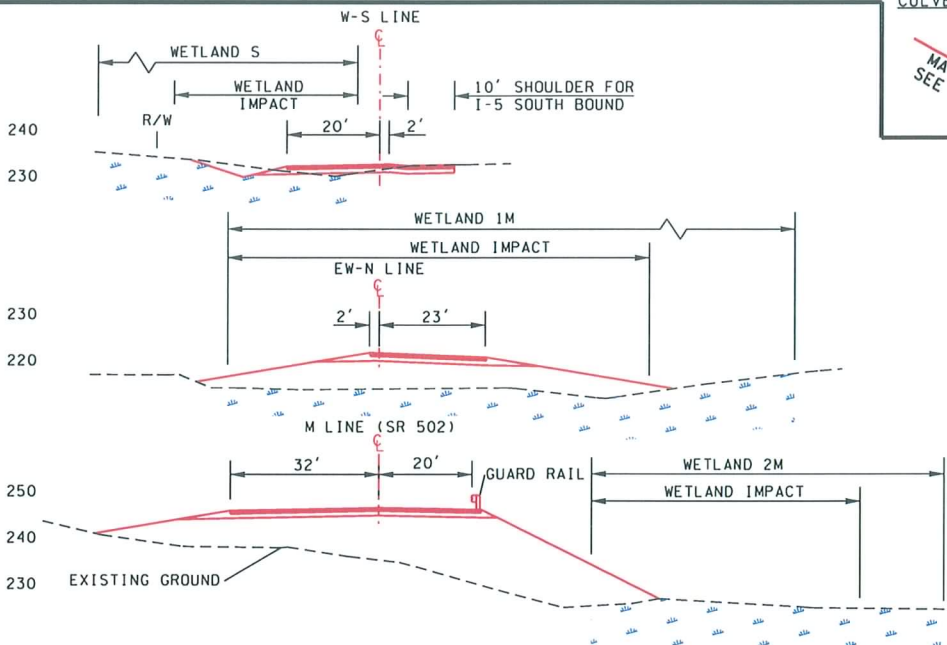
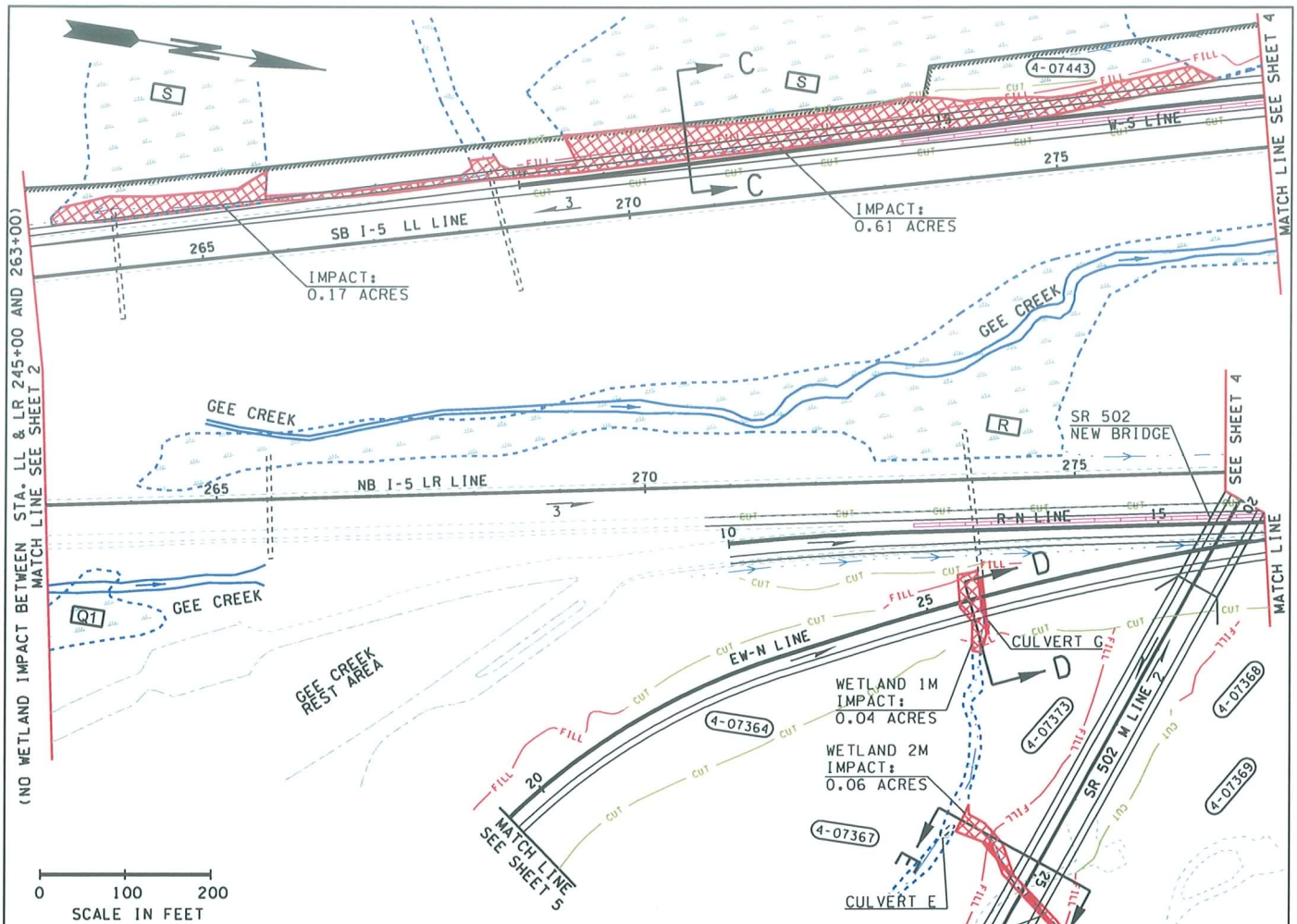
VICINITY MAP

NEW ALIGNMENT

PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
 DATUM: N.G.V.D. OF 1988
 LATITUDE: 45°45'44" TO 45°47'39"
 LONGITUDE: 122°38'27" TO 122°40'56"
 TOWNSHIP & RANGE:
 T.4N. R.1E. W.M./T.3N. R.1E. W.M.
 LOCATION: CLARK COUNTY
 APPLICANT: WSDOT
 SHEET: 1 OF 13
 DATE: OCTOBER 3, 2005

Corps# 200501249





LEGEND:

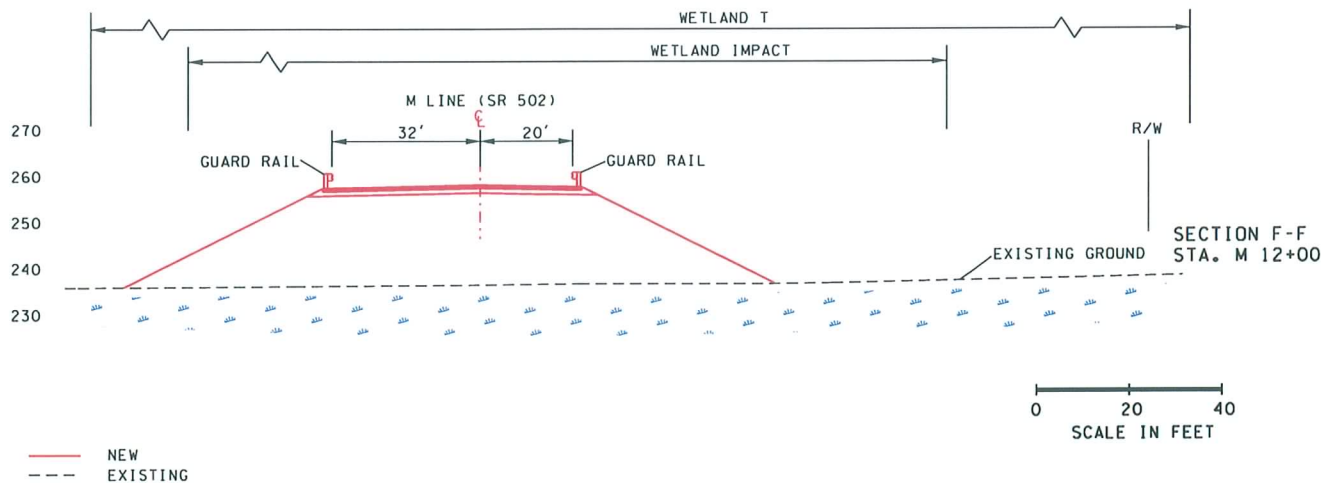
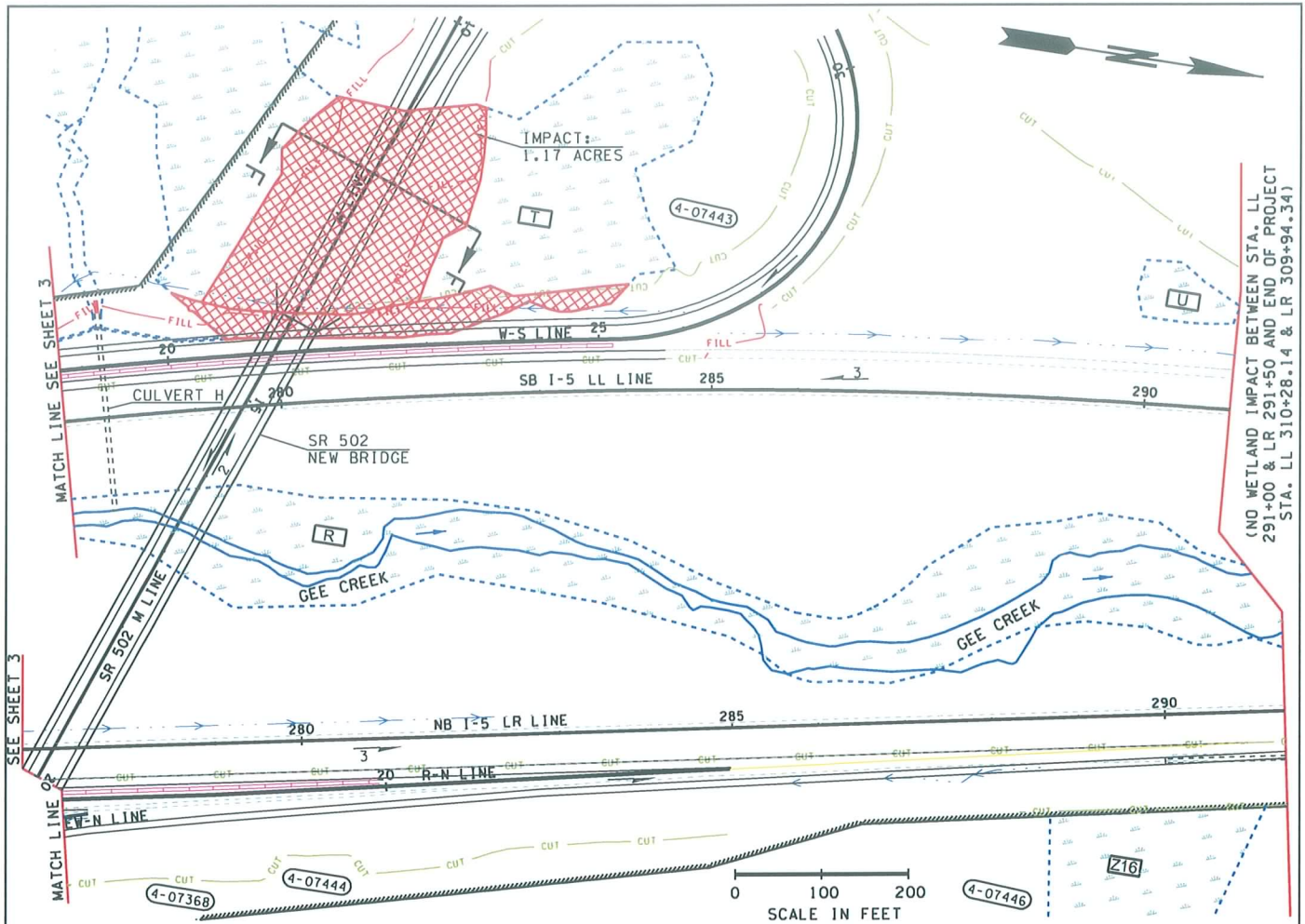
	WETLAND		PROPOSED CULVERT
	WETLAND NAME		PROPOSED RETAINING WALL
	WETLAND IMPACT		PROPOSED MEDIAN BARRIER
	RIPARIAN IMPACT		EXISTING DITCH LINES
	CUT LINES		RIGHT OF WAY
	FILL LINES		EXISTING EDGE OF SHOULDER
	PROPERTY OWNERSHIP		PROPOSED EDGE OF SHOULDER
	EXISTING CULVERT		EXISTING SANITARY SEWER LINE

0 20 40
SCALE IN FEET

OWNERSHIPS

PARCEL NO.	NAME
4-07443	Hansen Living Trust
4-07364	Richard Mulford
4-07367	Pfeifer Et Al.
4-07369	Dale Sanders
4-07373	Eva Kvacheva

REFERENCE: 200501249
 PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
 LOCATION: CLARK COUNTY
 APPLICANT: WSDOT
 SHEET: 3 OF 13
 DATE: OCTOBER 3, 2005



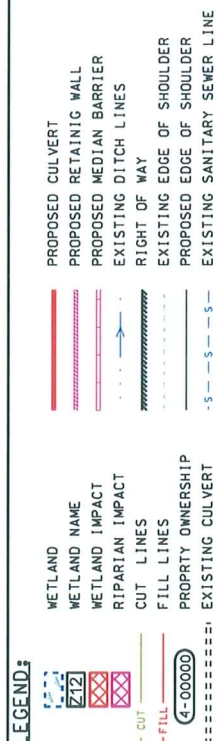
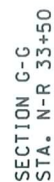
LEGEND:

	WETLAND		PROPOSED CULVERT
	WETLAND NAME		PROPOSED RETAINING WALL
	WETLAND IMPACT		PROPOSED MEDIAN BARRIER
	RIPARIAN IMPACT		EXISTING DITCH LINES
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	FILL LINES		EXISTING EDGE OF SHOULDER
	PROPERTY OWNERSHIP		PROPOSED EDGE OF SHOULDER
	EXISTING CULVERT		EXISTING SANITARY SEWER LINE

OWNERSHIPS

PARCEL NO.	NAME
4-07443	Hansen Living Trust
4-07444	March Family Limited Partnership
4-07446	Chet Knapp Et Al.
4-07369	Dale Sanders

REFERENCE: 200501249
 PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
 LOCATION: CLARK COUNTY
 APPLICANT: WSDOT
 SHEET: 4 OF 13
 DATE: OCTOBER 3, 2005



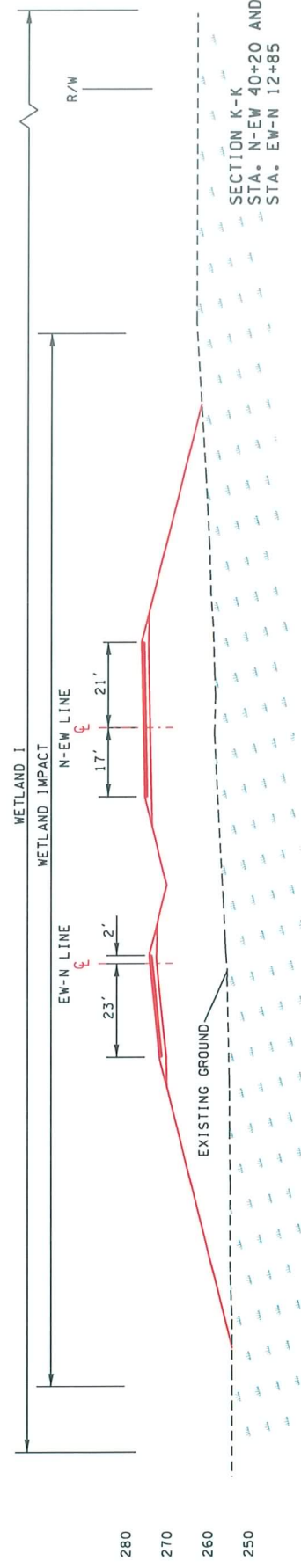
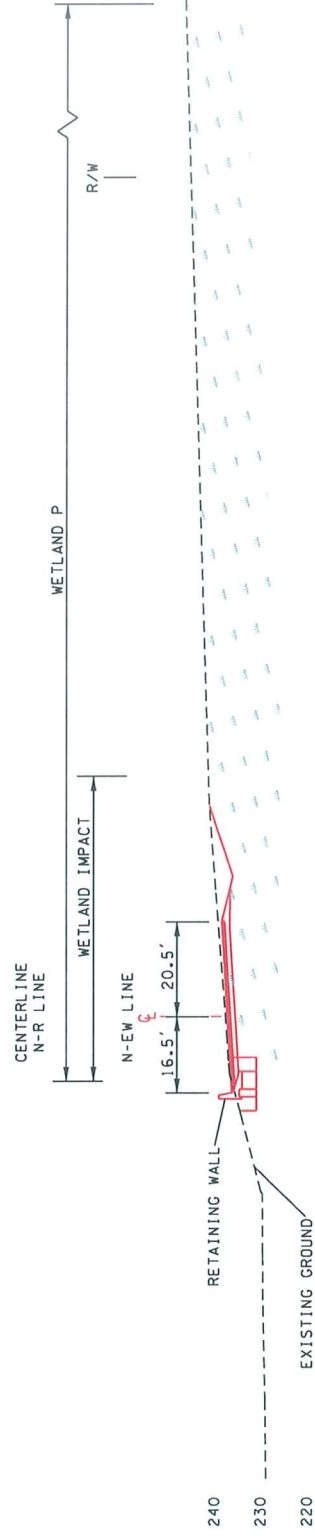
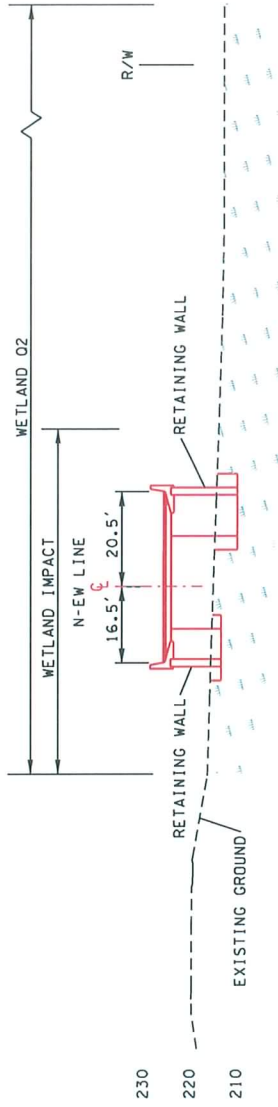
OWNERSHIPS	
PARCEL NO.	NAME
4-07364	Richard Mulford
4-07367	Pfeifer Et Al.
4-07442	Edward Barnhart

200501249

REFERENCE: 200501249
PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
LOCATION: CLARK COUNTY
APPLICANT: WSDOT
SHEET: 5 OF 13
DATE: OCTOBER 3, 2005

3

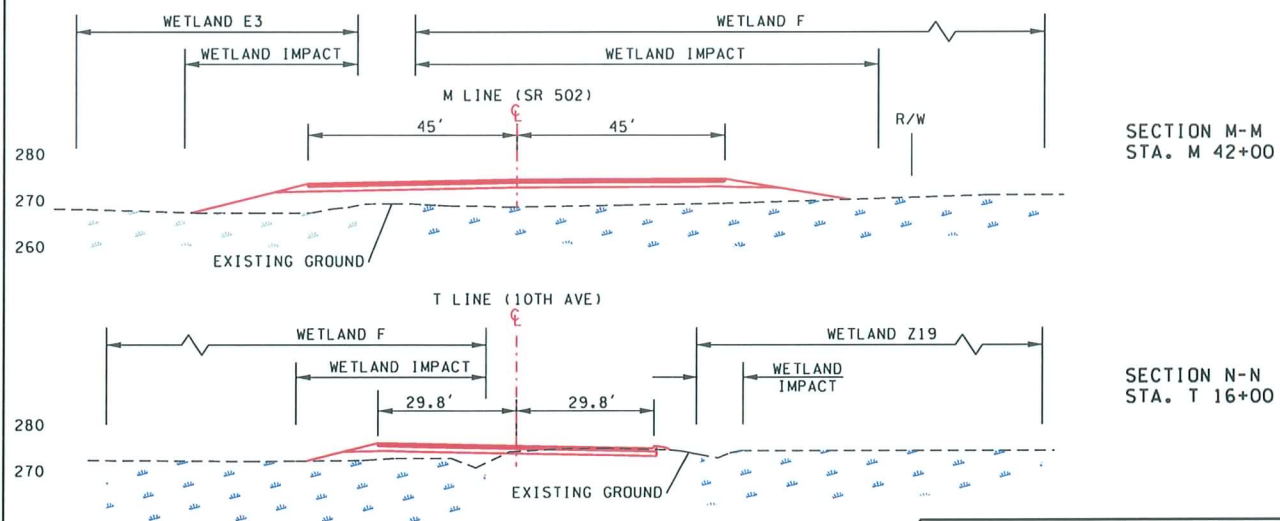
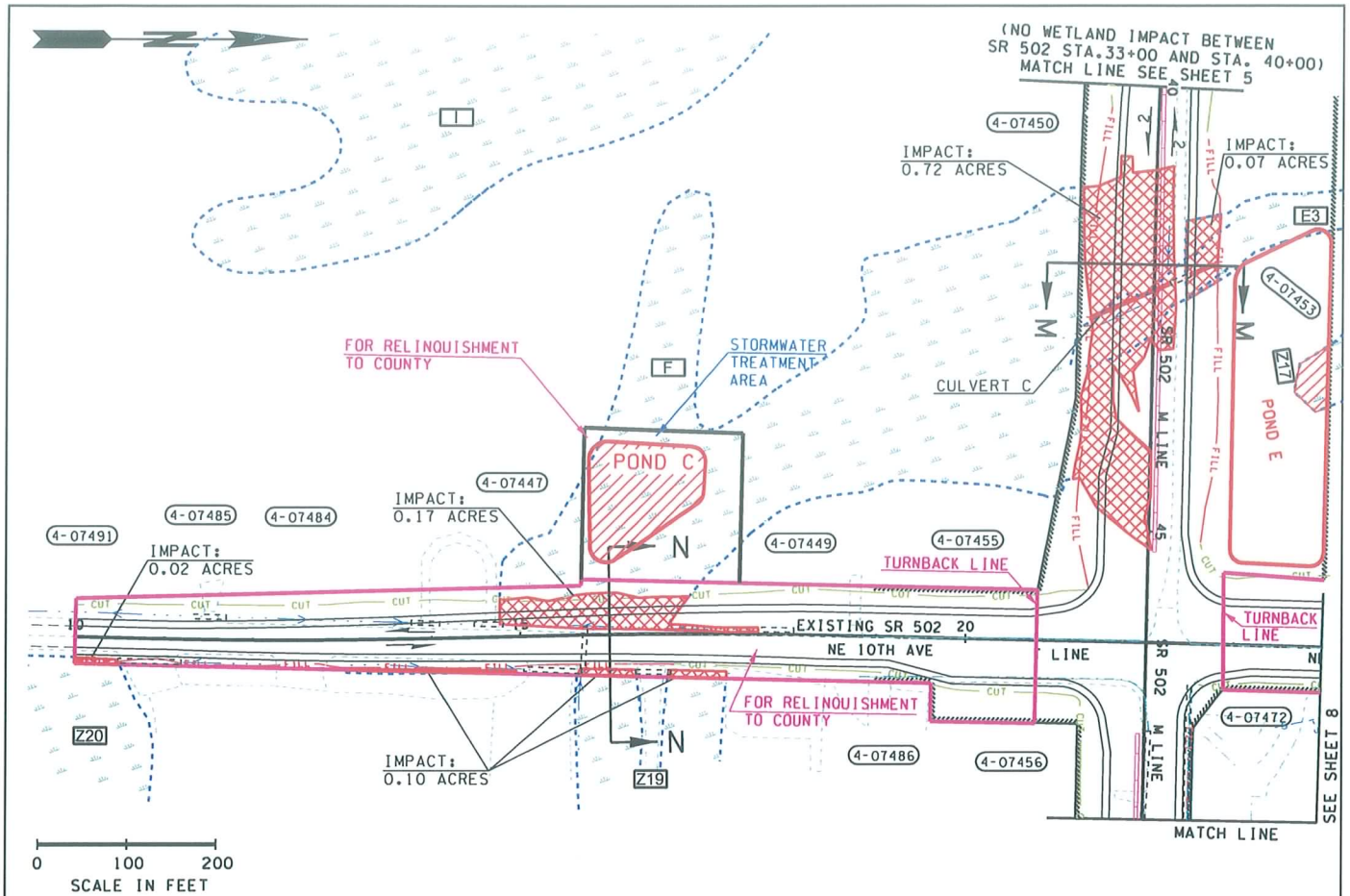
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SCALE IN FEET

— NEW
--- EXISTING

REFERENCE: 2005 01249
PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
LOCATION: CLARK COUNTY
APPLICANT: WSDOT
SHEET: 6 OF 13 DATE: OCTOBER 3, 2005

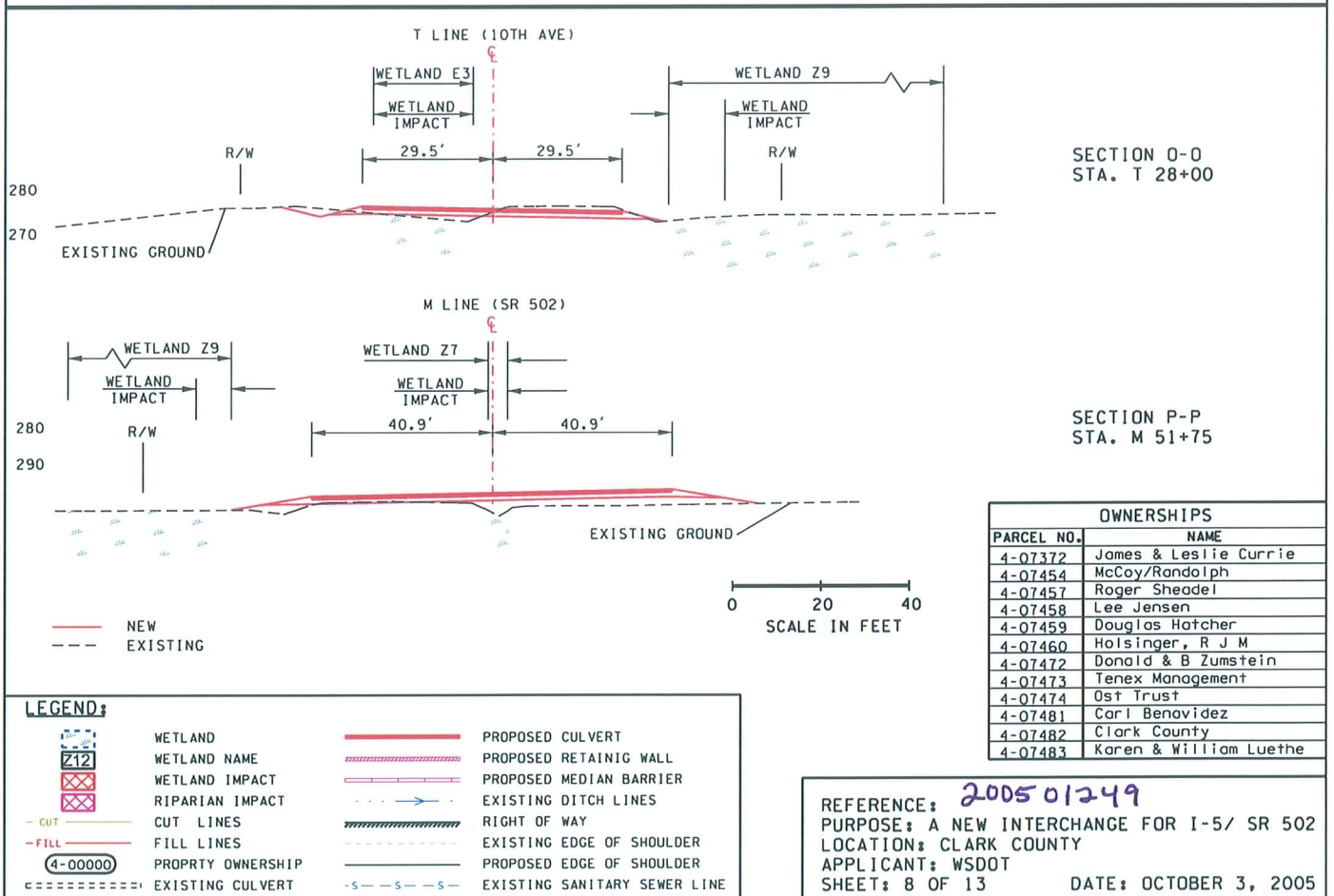
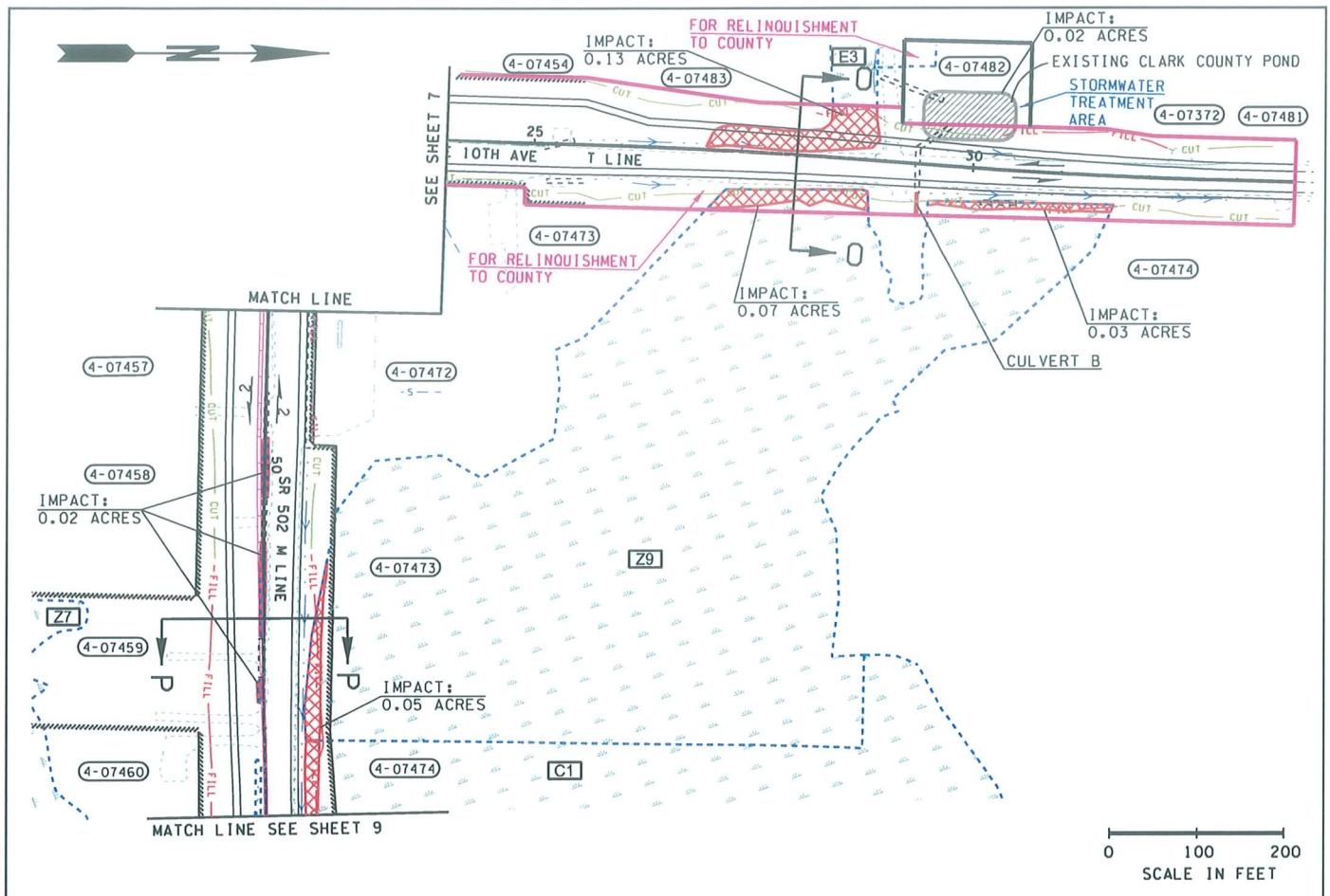


LEGEND:

	WETLAND		PROPOSED CULVERT
	WETLAND NAME		PROPOSED RETAINING WALL
	WETLAND IMPACT		PROPOSED MEDIAN BARRIER
	RIPARIAN IMPACT		EXISTING DITCH LINES
	CUT LINES		RIGHT OF WAY
	FILL LINES		EXISTING EDGE OF SHOULDER
	PROPERTY OWNERSHIP		PROPOSED EDGE OF SHOULDER
	EXISTING CULVERT		EXISTING SANITARY SEWER LINE

OWNERSHIPS	
PARCEL NO.	NAME
4-07447	Hansen Living Trust
4-07449	Vernon & Hazel James
4-07450	Lowell & Sharlene Smith (Shattuck)
4-07453	Betty Randolph
4-07455	Miguel & Karen Ferraro
4-07456	Michael/Connie Zumstein
4-07472	Donald & B Zumstein
4-07484	Vernon & Hazel James
4-07485	Pamela Jen
4-07486	Hulka/Spring
4-07491	Richard & Agnes Mulford

REFERENCE: 2005 01249
 PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
 LOCATION: CLARK COUNTY
 APPLICANT: WSDOT
 SHEET: 7 OF 13 DATE: OCTOBER 3, 2005



I-5/SR 502 Interchange

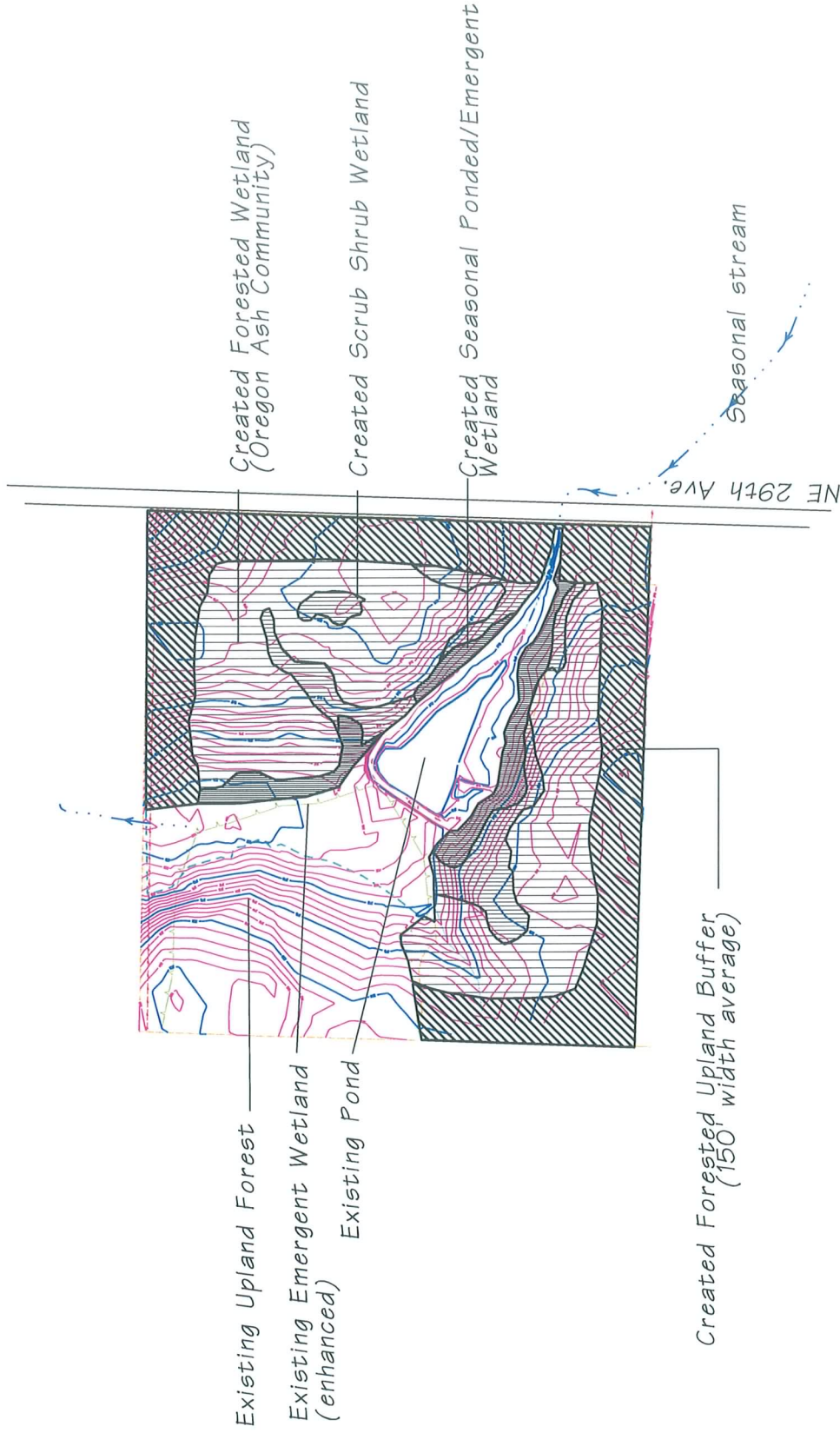
Culvert Replacement (Fish Barrier)



THE DETAILS OF PROPOSED CULVERT 'L', ON SHEET 5

NEW ROADWAY
NEW CULVERT
EXISTING GROUND
ORDINARY HIGH WATER MARKS

REFERENCE: 200501249
PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
LOCATION: CLARK COUNTY
APPLICANT: WSDOT
SHEET: 10 OF 13 DATE: OCTOBER 3, 2005



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SCALE IN FEET

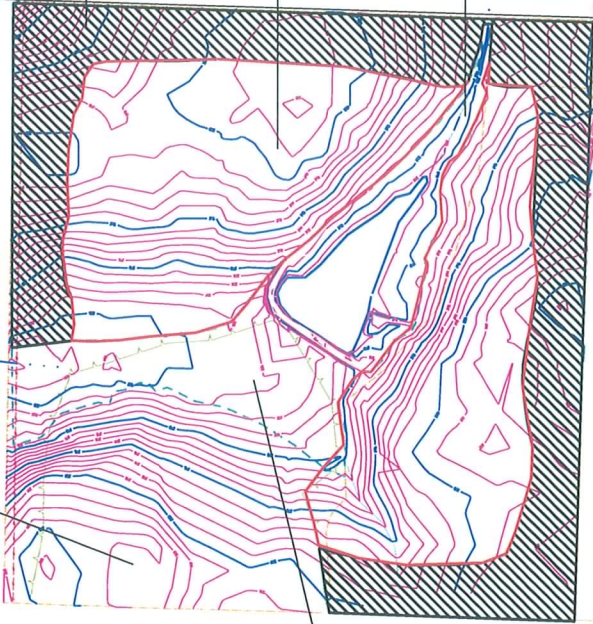
PROPOSED WETLAND MITIGATION SITE VEGETATION PLAN

REFERENCE: 200501249
PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
LOCATION: CLARK COUNTY
APPLICANT: WSDOT
SHEET: 12 OF 13 DATE: OCTOBER 11, 2005



Existing upland forest

Existing wetland



Buffer area to be graded to match existing contours of the surrounding landscape to the wetland floor elevation.
Slopes not to be steeper than 2:1.

Primary Wetland Grading Area
-wetland mitigation site to be graded in a series of shallow terraces to provide suitable areas for forested wetland, scrub-shrub, and emergent community development.
-excavation depths range from 0' to 12'

Existing pond and earthen dike to remain. Surrounding wetland elevations to be developed from observed surface water elevations in the pond.

Seasonal stream



PROPOSED WETLAND MITIGATION SITE GRADING PLAN

REFERENCE: 2005-01249
PURPOSE: A NEW INTERCHANGE FOR I-5/ SR 502
LOCATION: CLARK COUNTY
APPLICANT: WSDOT
SHEET: 13 OF 13 DATE: OCTOBER 11, 2005



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification

Date: April 24, 2006

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200501249 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Any person desiring to present views on the project pertaining to compliance with water pollution control laws may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600